

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

PAUL ROBERT STANDIFER, JR.,  
et al.,

Plaintiffs,

v.

DEPARTMENT OF LAW ALASKA,  
et al.,

Defendants.

Case No. 3:23-cv-00170-SLG

**ORDER OF DISMISSAL**

On July 26, 2023, self-represented prisoner Paul Robert Standifer, Jr. (“Plaintiff”) filed a civil rights complaint (“Complaint”), a civil cover sheet, and an application to waive prepayment of the filing fee.<sup>1</sup> The Court screened the Complaint, found it to be deficient, but granted Plaintiff leave to file an amended complaint.<sup>2</sup> On December 12, 2023, the Court’s Screening Order was returned to the Court as undeliverable.<sup>3</sup> Plaintiff has not contacted the Court regarding this case since August 18, 2023.<sup>4</sup>

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<sup>1</sup> Dockets 1-2.

<sup>2</sup> Docket 7.

<sup>3</sup> Docket 8.

<sup>4</sup> Dockets 4-5.

The Local Civil Rules require parties to provide current contact information to the Court and all parties.<sup>5</sup> The Court may dismiss an action for failure to comply with a local rule<sup>6</sup> or failure to comply with any order of the Court.<sup>7</sup> Before dismissing a complaint for failure to comply with an order or local rule, courts in the Ninth Circuit must consider five factors: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives.<sup>8</sup> Though not strictly required, it is “preferred” that a court “make explicit findings in order to show that it has considered these factors.”<sup>9</sup>

Having considered these factors, this case must be dismissed. Dismissal without prejudice “minimizes prejudice to a defendant and preserves a plaintiff’s

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<sup>5</sup> See Local Civil Rules 11.1(b)(2) (requiring self-represented parties must keep the court and other parties advised of the party’s current address and telephone number”) and 11.1(b)(3) (allowing the Court to dismiss a case when a self-represented party fails to update their address and any orders or other mail is returned as undeliverable).

<sup>6</sup> *Thompson v. Housing Auth. of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986).

<sup>7</sup> Federal Rule of Civil Procedure 41(b). See also *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992).

<sup>8</sup> See *Ferdik*, 963 F.2d at 1260–61 (first citing *Thompson v. Housing Auth. of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986); and then citing *Henderson v. Duncan*, 779 F.2d 1421, 1423 (9th Cir. 1986)).

<sup>9</sup> *Id.*

ability to seek relief.”<sup>10</sup> The Court finds no other lesser sanction to be satisfactory or effective in this case.<sup>11</sup>

**IT IS THEREFORE ORDERED:**

1. This case is **DISMISSED without prejudice**.
2. All pending motions are **DENIED as moot**.
3. The Clerk of Court shall issue a final judgment.

DATED this 31st day of January, 2024.

/s/ Sharon L. Gleason  
UNITED STATES DISTRICT JUDGE

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<sup>10</sup> *Alli v. City and County of San Francisco*, 2022 WL 3099222 (N.D. Cal. 2022) (internal citations omitted).

<sup>11</sup> See, e.g., *Henderson*, 779 F.2d at 1424 (a district court need not exhaust every sanction short of dismissal before finally dismissing a case but must explore possible and meaningful alternatives) (internal citation omitted); *Gleason v. World Sav. Bank, FSB*, 2013 WL 3927799, at \*2 (N.D. Cal. 2013) (finding dismissal under Rule 41(b) appropriate where the court previously attempted the lesser sanction of issuing an order to show cause and giving the plaintiff an additional opportunity to re-plead).